

**Board of Game and Inland Fisheries  
Meeting Minutes  
4000 West Broad Street  
Richmond, Virginia 23230**

**October 5, 2010  
9:00am**

**Present:** Mr. James W. Hazel, Chairman, Mr. Ward Burton, Vice-Chairman, Ms. Mary Louisa Pollard, Mr. Curtis Dixon Colgate, Ms. Lisa Caruso, Mr. Leon O. Turner, Sr., Mr. Randy Kozuch, Mr. F. Scott Reed, Mr. James Brent Clarke, III; **Absent:** Mr. Charles Yates and Mr. John Montgomery; **Executive Director:** Mr. Robert "Bob" W. Duncan; **Chief Operating Officer:** Mr. Matthew Koch; **Senior Leadership Team:** Mr. Gary Martel, Mr. Charlie Sledd, Mr. Larry Hart, Colonel Dabney "Dee" Watts and Dr. Joice Conyers; Legal Counsel: Mr. Ryan Brown.

([Listen: Welcome and Call to Order](#))

The Chairman called the meeting to order at 9:00am and noted for the record that a quorum was present for the meeting. The Pledge of Allegiance was lead by Captain Bobby Mawyer and Ms. Pollard read the Mission Statement into the record.

The Chairman introduced the new Board Members: Mr. Curtis Dixon Colgate, Ms. Lisa Caruso and Mr. Leon Turner.

The Chairman stated as part of the record that Ms. Crumley was not present for today's meeting. Ms. Crumley served as a member of the Board representing the Sixth Congressional District. During her tenure on the Board, Ms. Crumley attended 54 meetings. The Chairman thanked her for her service to the Board.

The Chairman also thanked Ms. Elizabeth Andrews who served as Counsel to the Board for the last 7 months. The Chairman introduced and welcomed our new Counsel, Mr. Ryan Brown.

**Recognition of Employees and Others:** ([Listen](#)) The Chairman called on Mr. David Whitehurst for two Wildlife Bureau Presentations.

Mr. Alan Boynton was presented the Terrestrial Biologist of the Year Award. Mr. Boynton was not present for the meeting and will receive his award at a later date.

Mr. Bud LaRoche was presented the Aquatic Biologist of the Year Award.

The Chairman and Director congratulated Mr. LaRoche on his accomplishments.

**Public Comments - Non Agenda Items:** ([Listen](#)) The Chairman called for Public Comments-Non-Agenda Items.

Mr. J. E. Fugate, Duffield, Virginia, who represented the Southwest Virginia Coalition, spoke regarding a joint elk plan.

The Chairman thanked Mr. Fugate for his comments and attendance during today's meeting.

**Approval of August 17, 2010 Meeting Minutes:** ([Listen](#)) The minutes of the August 17, 2010 meeting have been distributed and posted to the website for review. **The Chairman made a motion to approve the minutes as presented. Motion Seconded by Mr. Reed. Ayes: Hazel, Burton, Reed, Clarke, Pollard, and Kozuch; Abstained: Colgate, Caruso, and Turner.**

**Committee Reports:** The Chairman stated the Committees have not met since the August Board Meeting. New Committee assignments have been completed and these meetings will resume in the near future.

([Listen: Finance, Audit and Compliance Review Committee Report](#))

The Chairman called on Mr. Brent Clarke, Chairman of the **Finance, Audit and Compliance Review Committee** for a report on the Finance Workshop held on September 22, 2010. This workshop was held to answer questions from the members of the Board regarding future funding needs of the Department. Mr. Clarke called on Mr. Matt Koch, Chief Operating Officer, to present the findings of the meeting ([view presentation](#)).

Following the presentation a discussion was held by the Chairman, Board Members, Director and Staff.

**The Chairman called on Mr. Clarke for a motion on establishing a facilities use fee. Mr. Clarke made the following motion:**

**Mr. Chairman,**

I move that pursuant to § 29.1-103 subsection 14 and § 29.1-113 of the Code of Virginia that the Board propose regulations 4 VAC 15-20-66 to establish and collect admittance, parking, or other use fees at certain Department-owned facilities. Any daily fee will not exceed \$3.00. Any annual fee shall be equal to the cost of an annual state resident fishing or hunting license. Further, the proposed regulations shall be made available for a 120-day public comment period beginning December 16, 2010 and running through April 14, 2011. Further, the Board may consider final action on the proposed regulations at its meeting scheduled for May 3, 2011 and any adopted regulations may be effective on July 1, 2011.

**Motion Seconded by Mr. Burton. Ayes: Hazel, Burton, Pollard, Colgate, Caruso, Turner, Kozuch, Reed and Clarke.**

**The Chairman called on Mr. Clarke for a motion on license and permit fees. Mr. Clarke made the following motion:**

**Mr. Chairman,**

I move that pursuant to § 29.1-103 subsection 16 of the Code of Virginia that the Board propose amendments to 4 VAC 15-20-65 (Hunting, trapping, and fishing license and permit fees) to increase the cost of the current fees stated in the subject regulation by an amount of \$5.00 each for residents and \$50.00 each for non-residents. Further, the proposed amendments shall be made available for a 120-day public comment period beginning December 16, 2010 and running through April 14, 2011. Further, the Board may consider final action on the proposed amendments at its meeting scheduled for May 3, 2011

**and any adopted amendments may be effective on July 1, 2011. For clarification purposes, the final action on any proposed amendment may range from no change to an amount up to and including \$5.00 each for residents and \$50.00 each for non-residents.**

**Motion Seconded by Pollard. Ayes: Hazel, Burton, Pollard, Colgate, Caruso, Kozuch, Reed and Clarke. Opposed: Turner**

The Chairman thanked the Director and Staff for their presentation.

**At 10:20am, the Chairman called for a 10 minute break.**

[\(Listen: Wildlife and Boat Committee Report Introduction\)](#)

At 10:33 am, the Chairman called the meeting back to order and called on Mr. Scott Reed, Chairman of the **Wildlife and Boat Committee**, for action items. The Committee had not met since the August Board Meeting. Mr. Reed stated there are agenda items from the Wildlife Bureau requiring action by the Board today.

Mr. Reed called on Mr. David Whitehurst to present the staff's recommendation for the official naming of the recently acquired Southern Timber tract.

[\(Listen: Wildlife and Boat Committee Report – Southern Timber Tract | View Presentation\)](#)

Mr. Whitehurst presented information on the recently acquired Southern Timber tract in Caroline County. The staff recommended that the Southern Timber tract be named the Mattaponi Wildlife Management Area.

**The Chairman called for a motion to name the Southern Timber tract. Mr. Reed made the following motion: Mr. Chairman, I move that the Board name the Southern Timber Tract the Mattaponi Wildlife Management Area.**

**Motion Seconded by Mr.Colgate. Ayes: Hazel, Burton, Pollard, Colgate, Caruso, Turner, Kozuch, Reed and Clarke.**

Mr. Reed called on Mr. Fred Leckie to present the staff's proposed Fish Regulation Amendments for Final Action.

[\(Listen: Wildlife and Boat Committee Report – Fish Regulation Amendments | View Presentation\)](#)

Mr. Leckie presented the staff's recommendations for the proposed **Fish Regulation Amendments** for Final Action by the Board. A discussion was held by the Board, Director and Staff.

**The Chairman called for a motion on the Fish Regulation Amendments for final action as presented by staff. Mr. Reed made the following motion: Mr. Chairman, I hereby move that the Board adopt the fish regulation amendments as presented today, to become effective January 1, 2011.**

**Motion Seconded by: Clarke Ayes: Hazel, Burton, Pollard, Colgate, Caruso, Turner, Kozuch, Reed and Clarke.**

Mr. Reed called on Ms. Becky Gwynn to present the staff's proposed Wildlife Diversity Regulation Amendments for Final Action.

([Listen: Wildlife and Boat Committee Report – Wildlife Diversity Regulation Amendments](#) | [View Presentation](#))

Ms. Gwynn presented the staff's recommendations for the proposed **Wildlife Diversity Regulation** Amendments for Final Action by the Board. A discussion was held by the Board, Director and Staff.

**Following the discussion, the Chairman called for Public Comment on the Wildlife Diversity Regulation Amendments as presented. Hearing none, the Chairman called for a motion.**

**Mr. Burton made the following motion: Mr. Chairman, I move that the Board adopt the amendments to the wildlife diversity (nongame) regulations as presented today, to become effective on January 1, 2011.**

**Motion Seconded by Pollard. Ayes: Hazel, Burton, Pollard, Colgate, Caruso, Turner Kozuch. Abstained: Mr. Reed. Mr. Clarke was absent for the vote.**

The Chairman thanked Ms. Gwynn for her presentation.

Mr. Reed called on Mr. Tom Guess to present the staff's recommendations for the proposed **Boating Regulation Amendments** for Final Action by the Board. A discussion was held by the Board, Director and Staff.

([Listen: Wildlife and Boat Committee Report – Boating Regulation Amendments](#) | [View Presentation](#))

**Following the discussion, the Chairman called for Public Comment on the Boating Regulation Amendments for Final Action as presented by staff.**

**Mr. Reed made the following motion: Mr. Chairman, I hereby move that the Board adopt the boating regulation amendments as presented today, to become effective January 1, 2011.**

**Motion seconded by Pollard. Ayes: Hazel, Burton, Pollard, Colgate, Caruso, Turner, Kozuch, Reed, Clarke.**

The Chairman thanked Mr. Guess for his presentation.

Mr. Reed called on Mr. Bob Ellis to present the staff's recommendation on the **Elk Regulation amendment for final action.**

([Listen: Wildlife and Boat Committee Report – Elk Regulation Amendment and Elk Plan](#) | [View Presentation on Elk Regulation Amendment](#) | [View Presentation on Elk Plan](#))

Mr. Ellis presented the staff's recommendation on the Elk Regulation amendment for final action. A discussion was held by the Board, Director and staff. Following the discussion, the Chairman called for Public Comments.

### **Public Comments:**

Ms. Kathy Funk, Stuarts Draft, Virginia, who represented the Rocky Mountain Elk Foundation, spoke regarding elk hunting in Virginia.

Mr. Wilmer Stoneman, Richmond, Virginia 23260, who represented the Virginia Farm Bureau, spoke regarding the Elk Regulation Proposal.

Mr. J. E. Fugate, Duffield, Virginia, spoke regarding elk.

The Chairman thanked everyone for their comments and attendance at today's meeting.

**The Chairman called for a motion on the elk regulation amendment - final action.**

**Mr. Reed made the following motion: Mr. Chairman, I hereby move that the Board adopt staff's recommendation thereby continuing the hunting of elk during the 2010-11 deer season as currently outlined in regulation.**

**Motion Seconded by Ms. Caruso. Ayes: Hazel, Pollard, Colgate, Caruso, Turner, Kozuch, Reed. Opposed: Clarke and Burton.**

Mr. Reed called on Mr. Ellis to present the Draft Elk Operational Plan. Mr. Ellis presented the Draft Elk Operational Plan. The Chairman thanked Mr. Ellis for his presentation.

The Chairman called on Mr. Burton for a report from the **Education, Planning and Outreach Committee**. Mr. Burton report the Committee had not met since the August 17, 2010 Board Meeting. The next meeting is to be announced.

[\(Listen: Committee Report – Education, Planning and Outreach\)](#)

**Mr. Randy Kozuch departed at 12:00 Noon.**

**Director's Report:** [\(Listen\)](#) The Chairman called on the Director for his report.

The Director reported on the amendments to the Wildlife Foundation MOU. The Chairman announced that Mr. Colgate would represent the Board as a non-voting member of the Wildlife Foundation Board. **Following a discussion by the Board and Director, Mr. Colgate made the following motion: I move that the Board of Game and Inland Fisheries approve the amendments presented to the Memorandum of Understanding with the Wildlife Foundation of Virginia. Motion Seconded by Ms. Pollard. Ayes: Hazel, Burton, Pollard, Colgate, Caruso, Turner, Kozuch, Reed and Clarke.**

The Director reported on the following items:

- LDP Graduation
- DGIF Employee Recognition Lunch
- Shooting Range
- Lyme Disease Meeting
- Visit and Presentation by Mr. Jim Martin

- AFWA Conference
- The National Hunting and Shooting Sports Council

The Director called on Mr. Lee Walker to present information on the newest Wildlife Conservation License Plate and the Virginia Lottery Scratch Ticket Program "Virginia Wildlife".

Mr. Walker presented a mock-up of the new Bluebird Wildlife Conservation License Plate that will be available January 2011. After the first 1,000 Bluebird plates have been purchased, the Department of Game and Inland Fisheries (DGIF) will receive \$15 of the \$25 additional fee. In 2010, the DGIF Wildlife Conservation License Plate series generated \$369,420.00. The proceeds are reinvested in wildlife management, research, educational programs, and for purchasing public lands that benefit all wildlife assuring that outdoor opportunities such as hunting, fishing, hiking, boating, and wildlife watching will be enjoyed by Virginian's and by future generations.

Mr. Walker presented 5 scenes of VA Wildlife that will appear on the Virginia Lottery-Virginia's Wildlife Scratch Tickets and Photo Contest. This program was launched today (October 5, 2010). Proceeds from the sale of these tickets go to the Virginia Literary Program as required by law.

The Chairman thanked the Director for his report.

**Closed Session:** ([Listen](#)) The Chairman called for a motion to move to a Closed Session.

**At 1:10pm, The Chairman called for a motion to move to a Closed Session. Ms. Caruso made the following motion:**

*Closed Session Motion  
October 5, 2010*

*Mr. Chairman,*

*I hereby move that the Board of Game and Inland Fisheries go into a closed meeting pursuant to Section 2.2-3711.A.1 of the Code of Virginia for discussion or consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointee, or employees of the Department of Game and Inland Fisheries specifically regarding: The performance of the Director.*

*And*

*Pursuant to Section 2.2-3711.A.3 of the Code of Virginia for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property with respect to: An update on DGIF Headquarters Relocation and property located in Caroline County.*

**Motion Seconded by: Mr. Colgate. Ayes: Hazel, Burton, Pollard, Colgate, Caruso, Turner, Reed and Clarke.**

**Mr. Reed departed at 3:00pm.**

[\(Listen: Certification of the Closed Session\)](#)

At 3:01 pm, The Chairman called for the Certification of the Closed Session. Ms. Caruso made the following Certification:

*Certification of Closed Meeting  
October 5, 2010*

*WHEREAS, the Board of Game and Inland Fisheries has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and*

*WHEREAS, Section 2.2-3712.D of the Code requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;*

*NOW, THEREFORE, BE IT RESOLVED that the Board of Game and Inland Fisheries hereby certifies that, to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.*

Certification was completed with the following Roll Call vote:

Hazel - Aye  
Burton - Aye  
Pollard - Aye  
Clarke - Aye  
Turner - Aye  
Caruso - Aye  
Colgate -Aye

**Chairman's Remarks:** [\(Listen\)](#) The Chairman stated he attended the following events:

- Hardware River Bridge Dedication
- LDP Graduation
- NOVA Deer Summit
- Youth Deer Day

The Chairman thanked everyone for their attendance at today's meeting

**Additional Business/Comments:** [\(Listen\)](#) The Chairman called for any additional comments from the Board and Director.

The Chairman called on Mr. Turner for a few remarks. Mr. Turner state he had concerns regarding the use of the Lifetime License monies that were used towards a land purchase in Caroline County. Mr. Turner requested this issue go back to the Finance Committee for further review and consideration.

The Chairman stated during the next 2 years the Agency would be receiving reimbursement for this land purchase. The reimbursement received would go into the Lifetime License Account to replenish funds used to purchase the land.

Mr. Clarke stated as Chairman of the Finance Audit and Compliance Committee, he felt the funds for the land purchase were used appropriately.

[\(Listen: Next Meeting and Adjournment\)](#)

The Chairman thanked everyone for their attendance at today's meeting and announced the next meeting would be on March 1, 2011.

The meeting was adjourned at 3:15pm.

Respectfully submitted,

Beth B. Drewery, Secretary  
Board of Game and Inland Fisheries